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PART 1

GENERAL REGULATIONS FOR ANIMALS

§2-101. Definitions and Interpretation; Dog Ordinance.

1. In this Part 1, the following words and terms shall have the meanings hereby respectively ascribed thereto, except where the context clearly indicates a different meaning:

AT LARGE — being on any of the streets, public alleys and public property in the Borough of Gettysburg, or upon the property of other than the owner or keeper, and not on a least six feet or less in length.

DOG — any dog or bitch six months of age or older.

OWNER — when applied to the proprietorship of a dog, shall include every person having a right of property in such dog, and every person who keeps or harbors such dog or has it in his care, and every person who permits such dog to remain on or about any premises occupied by him.

PERSON — any natural person, partnership, firm, association or corporation.

2. In this ordinance, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and the neuter.

(Ord. 129, 6/13/1968, §1; as amended by Ord. 974, 5/12/1980, §(a))

§2-102. Unlawful to Allow Dogs at Large.

It shall be unlawful for the owner of any dog to allow the same to be at large within the limits of the Borough of Gettysburg, and any owner who shall violate any of the provisions of this section shall, upon conviction thereof, be sentenced to pay a fine of not more than \$25 and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than 10 days.

(Ord. 129, 6/13/1968, §2)

§2-103. Seizure and Impounding of Dogs Found at Large; Conditions for Restoration to Owner; Police Authorized to Rill Dogs Under Certain Conditions.

It shall be the duty of any police officer of the Borough or any person designated and appointed by the Borough Council as Dog Officer, to seize and detain any dog found running at large. Such dogs shall be impounded in the place designated by the Borough Council as the boarding kennel, except that it shall be the privilege of any police officer

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to kill any dog which is found at large and is deemed after due consideration by the police officer to constitute a threat to the public health and welfare. The Chief of Police or his agents shall cause any dog bearing a proper license tag and so seized and detained to be properly kept and fed, and shall cause immediate notice, either by registered or by certified mail, to be given to the person in whose name the license was procured, or his agent, to claim such dog within five days after the return receipt has been received. The owner of a dog so detained shall pay a penalty of \$15 to the Borough, and all reasonable expenses incurred by reason of its detention to the person in charge of the Borough boarding kennel. Such expenses shall be according to a uniform schedule to be approved from time to time by the Borough Council. Any dog not claimed within 5 days after the return receipt has been received may be disposed of as provided by the Dog Law of 1982. Unlicensed dogs will be kept for 48 hours and may be euthanized if not claimed.

(Ord. 129, 6/13/1968, §3; as amended by Ord. 1028-85, 8/12/1985)

§2-104. Noise Disturbance.

It shall be unlawful within the Borough of Gettysburg for any person or persons to own, possess, harbor or control any dog or other animal or bird which makes any noise continuously and/or incessantly for a period of 10 minutes or more or makes such noise intermittently for 1/2 hour or to the disturbance of any person at any time of the day or night, regardless of whether the dog, animal or bird is physically situated in or upon private property with said noise being a nuisance.

(Ord. 1003-83, 3/15/1983; as amended by Ord. 1028-85, 8/12/1985; and by Ord. 1293-04, 6/14/2004, §1)

§2-105. Restrictions on Keeping Hogs.

On and after January 31, 1936, it shall be unlawful to keep hogs within the Borough of Gettysburg; provided, that dealers bringing hogs into the Borough for resale and butchers bringing hogs into the Borough or having the same delivered to them in the Borough for slaughtering may keep the same for not to exceed 24 hours.

(8/19/1935; as amended by Ord. 1028-85, 8/12/1985)

§2-106. License Required for Keeping Dangerous Creatures.

It shall be unlawful to keep or harbor or have possession of any dangerous creatures, including certain reptiles, wild animals or rodents, in the Borough of Gettysburg without having a license therefor as hereinafter provided.

(11/2/1936, §1)

§2-107. Issuance of License to Keep Dangerous Creatures; Filing of Bond.

The Mayor, upon the application of any person and the payment to him of an application fee of \$5 and the tendering of a bond in such amount as the Mayor shall determine, shall issue a permit for possessing dangerous creatures. Provided: that due proof is given to the Mayor that such dangerous creatures can be securely kept and may be maintained under sanitary conditions and in such a manner as not to annoy persons living in the vicinity, such license to expire one year from the date of issue.

(11/2/1936, §2; as amended by Ord. 108, 6/13/1968, §2)

§2-108. Requirements for Bond.

Said bond shall be payable to the Borough of Gettysburg, shall contain a warrant of attorney to confess judgments for the full amount thereof, and shall contain a stipulation that in the event of the escape of any such dangerous creatures, the face value thereof shall be deemed to be the minimum to the Borough for investigating and providing against damages to the citizens of the Borough.

(11/2/1936, §3)

§2-109. Waiver of Application Fee and Bond Under Certain Conditions.

The Mayor, at his discretion, may waive the application fee provided for herein and the bond with respect to application by scientific societies, hospitals, physicians, and chemists desiring to keep dangerous creatures for scientific purposes.

(11/2/1936, §4; as amended by Ord. 108, 6/13/1968, §1)

§2-110. Interpretation of Provisions on Keeping Dangerous Creatures.

This section shall not be construed as limiting any existing remedies, nor as an assumption by the Borough of Gettysburg of any duty to any citizen with respect to preventing the escape of dangerous creatures now as legalizing what might otherwise be deemed to constitute a nuisance.

(11/2/1936, §5)

§2-111. Penalties.

Any person, firm or corporation who shall violate any provision of this Part 1 shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 and/or to imprisonment for a term not to exceed 90 days. Every day that a violation of this Part 1 continues shall constitute a separate offense.

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(Ord. 1028-85, 8/12/1985; as amended by Ord. 1236-99, 12/13/1999, §10)

§2-112. Forfeiture of Bond upon Conviction of Violation of Provisions on Dangerous Creatures.

Upon the conviction of any person as provided in §2-111, the bond, if any, given by him under this §2-108 shall automatically be forfeited and become due and payable.

(11/2/1936, §7)

PART 2

REQUIREMENTS FOR KEEPING ANIMALS

§2-201. Definitions.

1. As used in this Part, the following terms, shall have the meanings indicated, unless a different meaning clearly appears from the context:

ANIMAL — any domestic animal or fowl, any wild animal or any household pet.

DOMESTIC ANIMAL — any animal normally or ordinarily domesticated or raised in this area and climate as livestock or for work or breeding purposes, or normally or ordinarily kept as a household pet.

HOUSEHOLD PET — any dog, cat, or other domestic animal normally and ordinarily kept in or permitted to be at large in the dwelling of its owner.

LARGE ANIMAL — any wild or domestic animal of the bovine, equine or sheep family.

PERSON — any person, firm, partnership, association, or corporation.

SMALL ANIMAL — any wild or domestic animal such as a rabbit, hare, guinea pig, rat, mouse, or chinchilla; and any wild or domestic fowl such as a chicken, turkey, goose, duck, or pigeon (excepting homing pigeons).

WILD ANIMAL — any animal, including bird, fowl, or reptile not normally or ordinarily domesticated; not normally or ordinarily raised in this area and climate as livestock or for work or breeding purposes; or not capable of being kept as a household pet.

2. In this Part, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

(Ord. 1028-85, 8/12/1985)

§2-202. Keeping of Animals Regulated.

It shall be unlawful for any person to keep any domestic animals, except household pets, except as provided in this section:

- A. Large animals shall be confined in quarters no part of which shall be closer than 100 feet from the exterior limits of any dwelling or of any property line.

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- B. Anyone desiring to keep a dangerous animal(s) must first obtain a license as required in Part 1 of this Chapter.
- C. Small animals shall be kept confined in quarters no part of which shall be closer than 25 feet from the exterior limits of any dwelling or of any property line.
- D. The keeper of every such animal shall confine the same in an enclosure sufficient to prevent such animal from running at large, and such enclosure shall be of a size conducive to good sanitary practices and adequate and sanitary drainage facilities shall be provided.
- E. Every keeper of any animal shall cause the litter and droppings therefrom to be collected daily in a container or receptacle that when closed shall be rat-proof and fly-tight, and after every such collection shall cause such container or receptacle to be kept closed. At least twice a week, every such keeper shall cause all litter and droppings so collected to be disposed of in such manner as not to permit the presence of fly larvae.
- F. Every keeper of any animal shall cause all feed provided therefor to be stored and kept in a rat-proof and fly-tight building, box, container, or receptacle.

(Ord. 1028-85, 8/12/1985)

§2-203. Household Pets.

It shall be unlawful for any person to keep any household pet, except as provided in this section:

- A. If any such pet shall be kept in a dwelling owned or occupied by its owner, such owner shall be required to follow such procedures and practices, as to the number of such pets to be kept there, and as to sanitation, to insure that no public nuisance shall be created or maintained and no threat to the health of persons living elsewhere than in such dwelling shall be created.
- B. If any such pet shall be kept in an enclosure outside such dwelling, the provisions of §2-202 of this Part, insofar as the same applies to small animals, shall be applicable to the keeping of such household pet.

(Ord. 1028-85, 8/12/1985)

§2-204. Violation of State Law.

Any violation of this Part that would also violate any State law shall be prosecuted under that State law and not under this Part.

(Ord. 1028-85, 8/12/1985)

§2-205. Penalties.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$1,000, and/or to undergo imprisonment for a term not to exceed 90 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 1028-85, 8/12/1985; as amended by Ord. 1236-99, 12/13/1999, §1)

PART 3

RABIES INNOCULATION

§2-301. Inoculation Required.

No person shall keep, own or harbor any dog or cat over four months of age within the Borough of Gettysburg unless such dog or cat is inoculated against the disease of rabies. Proof of Inoculation shall be a certificate of inoculation issued to the owner of each animal by a licensed veterinarian or a durable inoculation tag so issued indicating current rabies inoculation.

(Ord. 1030-85, 11/12/1985, §1)

§2-302. Violation and Penalty.

Any person who shall violate this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 and, in default of payment thereof, to imprisonment for a period of not more than three days; provided, that failure to inoculate each animal required to be inoculated by this Part shall constitute a separate offense.

(Ord. 1030-85, 11/12/1985, §2)

PART 4
DISPOSAL OF FECES

§2-401. Disposal of Animal Feces.

Any person having possession, custody or control of any dog or other animal which defecates anywhere in the Borough of Gettysburg except on private property of the owner of such dog shall immediately remove the feces deposited and carry the same away for deposit in a toilet or for placement in a non-leaking trash or litter receptacle.

(Ord. 1115-91, 5/13/1991, §1)

§2-402. Blind Persons with Accompanying Guide Dogs Exempted.

The provisions of §2-401 hereof, shall not apply to blind persons accompanied by a guide dog.

(Ord. 1115-91, 5/13/1991, §2)

§2-403. Penalties.

Any person who shall violate this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 or to imprisonment for a term not to exceed three days.

(Ord. 1115-91, 5/13/1991, §3; as amended by Ord. 1236-99, 12/13/1999, §1)

PART 5
CAT REGULATIONS

§2-501. Definitions.

As used in this Part, the following terms shall have the meanings hereby respectively ascribed thereto, except where the context clearly indicates a different meaning:

CAT — any “felis domestica,” kept by an owner as a household pet or kept by an owner for rodent control.

NOISE DISTURBANCE — any unreasonable noise caused by a cat which disturbs the peace or otherwise disrupts and causes an annoyance to any residents of the Borough.

OWNER — any person owning, keeping, feeding, harboring or having custody of a cat. Any person who allows a cat to reside or remain about his or her premises shall be considered a cat owner.

VACCINATION — the practice of inoculations with a vaccine to afford protection from rabies as required by the Commonwealth of Pennsylvania.

(Ord. 1270-02, 11/12/2002, §1)

§2-502. Nuisances; Responsibilities of Owners Keeping Cats.

1. It shall be unlawful for any owner to have any cat that becomes a nuisance within the limits of the Borough of Gettysburg. Acts of nuisance shall include, but are expressly not restricted to, the following:
 - A. Noise disturbance as defined herein.
 - B. Viciousness.
 - C. Digging in flower beds, lawns, children’s sandboxes, gardens or the damaging of shrubbery, trees, lawns or personal property not belonging to the owner of the cat, or the depositing of feces on property not belonging to the owner of the cat.
2. No owner shall permit their cat to enter upon any area designated as a public park or playground.
3. An owner of a cat shall comply with and be current with rabies vaccination requirements with regard to cats under the laws of the Commonwealth of Pennsylvania.

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(Ord. 1270-02, 11/12/2002, §1)

§2-503. Seizure; Redemption; Fees, Disposal.

1. The Gettysburg Borough Police Department or the person or agency designated by the Borough Council of the Borough of Gettysburg shall enforce the provisions of this Part. Upon receipt of a written complaint that a cat is a nuisance, a Borough police officer or other officer of the Borough will investigate said complaint and, if found to be legitimate, the officer shall authorize the seizure of the cat by the issuance to the complainant of a humane-type cat trap to enable the trapping of the cat.
2. The person who is issued the trap and who is authorized to set the trap must notify the Borough Police Department immediately after a cat is trapped. An officer of the Police Department or the person or agency designated by the Borough Council of the Borough will transport and deliver the cat to the Adams County SPCA for holding. If the SPCA refuses to take the animal, the cat will be delivered to a veterinarian contracted with by the Borough and held for 72 hours prior to being disposed of in a humane manner. If the cat so apprehended bears any identification of ownership, the Police Department shall, on the date of apprehension, notify the owner that the animal has been apprehended and that it may be claimed at the designated location subject to the provisions of this Part.
3. Any cat may be claimed by its owner at the Adams County SPCA or at the office of the veterinarian contracted with by the Borough during the custodial period and shall pay all costs for the care, maintenance and disposal of said cat at the prevailing rate of the SPCA and/or the veterinarian.
4. Any cat which has been apprehended pursuant to this Chapter and which has not been reclaimed during the custodial period, may be disposed of in a humane manner in accordance with standards generally followed by the SPCA or as followed by the veterinarian contracted with by the Borough.

(Ord. 1270-02, 11/12/2002, §1)

§2-504. No Limit; Care of Cats.

There shall be no limit to the number of cats kept by an owner. However, all cats must be neutered and properly cared for by their owner in compliance with the provisions of this Part.

(Ord. 1270-02, 11/12/2002, §1)

§2-505. Authority to Remedy Noncompliance.

If the owner of a cat or cats in violation of this Part does not comply with a notice to abate the violation within the time period described, the Borough shall have the authority to take measures to abate the violation and collect the costs of such abatement plus 10% of all costs to be added to the total of an administration fee. The Borough, by its duly designated officers, in such event and pursuant to its statutory or otherwise authorized police powers, shall have the rights and power to enter upon the offending premises to accomplish the foregoing. The enforcement authority of this provision shall contain the right to use all other enforcement provisions of this Chapter.

(Ord. 1270-02, 11/12/2002, §1)

§2-506. Violations and Penalties.

It shall be unlawful for any person to own, keep or harbor any cat which has been found to violate the provisions of this Part. Any person found to violate the provisions of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 and/or imprisonment for a term not to exceed 90 days.

(Ord. 1270-02, 11/12/2002, §1)